



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4
12/19/02

Application of: J. VOGEL et al.

Application No.: 10/029,294

Group Art Unit: 1615

Filed: December 28, 2001

Examiner: H. Sheikh

For: IMPLANTABLE PARTICLES FOR TISSUE
BULKING AND THE TREATMENT OF
GASTROESOPHAGEAL REFLUX
DISEASE, URINARY INCONTINENCE,
AND SKIN WRINKLES

Attorney Docket No.: 9676-311

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
NOV 12 2002
TECH CENTER 1600/2900

Sir:

In response to the Office Action mailed October 9, 2002, in which the captioned application was examined for restriction purposes only. Applicants respectfully request entry of the following remarks and provisional elections into the file of the application.

REMARKS

the Examiner has sought to restrict the application to one of the following two alleged inventions: Group I, claims 1-16 and 19-20, drawn to a method for treating gastroesophageal reflux disease; and Group II, claims 17 and 18, drawn to a sterile injectable solution suitable for treating gastroesophageal reflux disease.

Applicants respectfully traverse the restriction requirement and request either withdrawal or modification thereof in accordance with the discussion below. In order to be fully responsive, Applicants provisionally elect, with traverse, Group I, claims 1-16 and 19-20 drawn to a method for treating gastroesophageal reflux disease. Applicants expressly reserve the right to file one or more divisional or other continuing applications to protect the inventions of the second identified species and other disclosed, but unclaimed, subject matter prior to the issuance of this application.